

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

NIGEST TILAHUN,

Plaintiff,

vs.

**Case No.: 2:17-cv-234
JUDGE GEORGE C. SMITH
Magistrate Judge Jolson**

WALMART/SAM'S CLUB,

Defendant.

ORDER

On September 27, 2017, the United States Magistrate Judge issued a *Report and Recommendation* recommending that this case be dismissed for failure to timely effect service of process. (See *Report and Recommendation*, Doc. 18). On August 18, 2017, Plaintiff was granted an extension until September 25, 2017 to retain counsel and to effect service of process. (Doc. 16). To date, Plaintiff has failed to properly serve Defendant. Therefore, the Magistrate Judge recommended this action be dismissed.

The parties were specifically advised of their right to object to the *Report and Recommendation* and of the consequences of their failure to do so. There has nevertheless been no objection to the *Report and Recommendation*.

Accordingly, the *Report and Recommendation* is hereby **ADOPTED** and **AFFIRMED**. This action is hereby dismissed without prejudice pursuant to Federal Rule of Civil Procedure 4(m) for failure to timely effect service of process.

The Clerk shall remove Documents 12 and 18 from the Court's pending motions list and terminate this case.

IT IS SO ORDERED.

/s/ George C. Smith
GEORGE C. SMITH, JUDGE
UNITED STATES DISTRICT COURT